

104TH CONGRESS
1ST SESSION

H. R. 2557

To amend the Agricultural Trade Act of 1978 to provide greater assurances
for contract sanctity.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 30, 1995

Mr. EWING (for himself and Mr. PETERSON of Minnesota) introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Agricultural Trade Act of 1978 to provide
greater assurances for contract sanctity.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Agricultural Contract
5 Sanctity Act of 1995”.

6 **SEC. 2. CONTRACT SANCTITY.**

7 (a) IN GENERAL.—Section 602 of the Agricultural
8 Trade Act of 1978 (7 U.S.C. 5712) is amended to read
9 as follows:

1 **“SEC. 602. CONTRACT SANCTITY.**

2 “(a) CONTRACT SANCTITY FOR EMBARGOES
3 TARGETING AGRICULTURAL COMMODITIES.—

4 “(1) GENERALLY.—Notwithstanding any other
5 provision of law and except as provided in subsection
6 (b), the President shall not take any action to pro-
7 hibit or curtail the export of articles that—

8 “(A) is substantially limited to agricultural
9 commodities; and

10 “(B) applies to agricultural commodities
11 under an export sales contract;
12 without approval by a majority vote of the Senate
13 and of the House of Representatives. Further, fol-
14 lowing such majority approval by the Senate and the
15 House of Representatives, the President shall not
16 put into effect the prohibition or curtailment until
17 180 days after the President transmits to Congress
18 notice of the proposed prohibition or curtailment.

19 “(2) FAST TRACK FOR CERTAIN BILLS.—

20 “(A) REFERRAL OF BILLS.—Any bill intro-
21 duced in the House of Representatives or the
22 Senate to disapprove or modify a proposed ex-
23 port prohibition or curtailment described in
24 paragraph (1) shall be referred to the Commit-
25 tee on Agriculture of the House of Representa-
26 tives or Senate, as the case may be.

1 “(B) FAST TRACK FOR CERTAIN BILLS.—

2 The procedures set forth in section 151 of the
3 Trade Act of 1974 (19 U.S.C. 2191) that apply
4 with respect to certain implementing bills (as
5 defined in such section) shall also apply with re-
6 spect to any bill described in subparagraph (A)
7 that is introduced by the Speaker of the House
8 (or his designee) in the House of Representa-
9 tives or by the Senate Majority Leader (or his
10 designee) in the Senate, during the 180 day pe-
11 riod specified in paragraph (1).

12 “(b) CONTRACT SANCTITY FOR GENERAL EMBAR-
13 GOES.—Notwithstanding any other provision of law, the
14 President shall not prohibit or curtail (under a prohibition
15 or curtailment other than one described in subsection (a))
16 the export of any agricultural commodity under an export
17 sales contract—

18 “(1) that is entered into before the President
19 announces an action that would otherwise prohibit
20 or curtail the export of the commodity; and

21 “(2) the terms of which require delivery of the
22 commodity within 270 days after the date of the
23 suspension of trade is imposed.

24 “(c) EXCEPTION.—A prohibition or curtailment may
25 take effect before the end of the period specified in sub-

1 section (a) or (b) and continue in effect during any period
2 in which the United States is in a state of war declared
3 by Congress or national emergency, requiring such action,
4 declared by the President.

5 “(d) DEFINITIONS.—As used in this section—

6 “(1) the term ‘agricultural commodity’ includes
7 plant nutrient fertilizer materials and any raw mate-
8 rials used to produce plant nutrient fertilizer mate-
9 rials, as classified in the Harmonized Trade Sched-
10 ule of the United States (19 U.S.C. 1202, 19 U.S.C.
11 3001 et seq.); and

12 “(2) the term ‘under an export sales contract’
13 means under an export sales contract—

14 “(A) entered into before the President has
15 transmitted to Congress notice of the proposed
16 prohibition or curtailment; and

17 “(B) the terms of which require delivery of
18 the commodity within 270 days after the date
19 on which the President makes such trans-
20 mission.”.

21 (b) CONFORMING AMENDMENT.—The heading for
22 title VI of the Agricultural Trade Act of 1979 is amended
23 by striking

24 **“REPORTS”**

25 and inserting

“MISCELLANEOUS”.